

**February 24, 2011 Minutes of
Bigfork Land Use Advisory Committee
Bethany Lutheran Church**

Committee members present: Paul Guerrant, Shelley Gonzales, Gary Ridderhoff, John Bourquin, Joyce Mitchell, John Righetti, Dave Russell and 16 members of the public.

Chairman Guerrant called the meeting to order at 4:00 p.m.

The agenda was adopted as presented (m/sc Righetti/Russell)-unanimous.

Minutes of the January 27, 2011 meeting were approved. (m/sc Mitchell/Righetti)

ADMINISTRATOR'S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/. Agendas are posted on the Flathead County Planning Office website flathead.mt.gov/

B. Next meeting March 24, 2011

APPLICATIONS:

A. Swan Peak Homestead (FPPUD-10-01): A request by A&C Horn Trust for Preliminary Plat approval of Swan Peak Homestead, a residential 17-lot Major Subdivision and Planned Unit Development on 123.8 acres. The Preliminary Plat does not include Eva Gates homestead parcel (Tract 4BAA, 3.703 acres) as it is not part of the subdivision but is included in the PUD application. Lots in the subdivision are proposed to have individual wells and septic systems. The property is located at 1055 Bigfork Stage Road.

Staff: Allison Mouch presented the application. The project encompasses 120 acres with 17 lots clustered in a PUD residential subdivision. Approximately 53 remaining acres will be in an conservation easement under the administration of Montana Land Reliance. Roughly 8 acres to be dedicated as parkland and 9 acres for internal subdivision roads and easements. Primary access is onto Bigfork Stage Road. Emergency exit onto Swan Hill Drive. All conditions are standard with Flathead County zoning regulations. Project will have individual wells and septic systems.

Gonzalez: Will there be paving in front of development or will it be contiguous with the existing paving of Bigfork Stage to the south? A. Nothing in regulations requires it to be contiguous, but it will be requested. No impact study required.

Guerrant: Most homes are on the south end; they would request the south end to be paved.

Gonzales: Are there any existing required bike/pedestrian paths? A. no

Mitchell: On October 29, 2010 there was a letter from FWP with 11 points of concern regarding wildlife. Would suggest that they be included in the CC&R's. A. The letter should be included in PUD; this is not covered in subdivision regulations.

Gonzales: Will the Homeowner's Association be required to maintain the 8 acres of parkland and the conservation easements?

JimTaylor: (Applicant) Montana Land Reliance will do the maintenance of the conservation easement and the HOA will maintain the parkland.

Guerrant: Was there a traffic study done to include the potential guest houses which are permitted by the underlying zoning? A. no

Applicant: Jim Taylor spoke on behalf of the applicants. He said he would support recommending paving to the south to Bigfork. Would maintain 8 acres as to noxious weeds, etc. MLR would act as a steward for the

property for the conservative property, approximately 53 acres.

Righetti: Is there 1 or 2 conservation easements? **Taylor:** There are 2

Leander: Spoke on behalf of Jim Taylor/Horn, saying that the project was straightforward and offered any help to work favorably with community for it's benefit.

Guerrant: How will the dust issue be handled during construction?

Gonzales: There is a clause for the contractors to mitigate dust problems in the construction contract.

Mulcahy/Sands Engineering: The development was moved up the hill, so that there would not be a cluster of homes right on the edge of the road.

Mitchell: Will there be any fences?

Taylor: Property boundaries will not be fenced, but individual homes may have small fences for dogs.

Mitchell: Is the gate at east end for emergency travel only? **Taylor:** Yes, at the east end of the road.

Righetti: Is the gravel road at the top the boundary line? **Taylor:** yes

Public agency comments: None

PUBLIC COMMENT:

Charlie Richmond: Lives on Bigfork Stage Road at the n/e corner of proposed development. Could lot sizes change after development is approved? A. no, not without going thru application process again.

Richmond: Would they be able to build an equestrian center? A. Not if prohibited under the CC& R's.

Ramona Niewoehner: Lives north end of the road and cannot use her yard because of traffic and dust. How are you going to address the dust issue? A. There is only so much the county can do. Gave a referral to the county road department and Dave Prunty.

Diane Glantz: Representing the residents of Bigfork Stage Road, explained that the county has a dust control program with shared costs with the residents. In order to get on the list with the county, residents need to be signed up by Thursday, March 3rd. The costs for this program do not go on the taxes for the property, but must be paid up front. Chairman Guerrant determined that this conversation was not pertinent to the application and recommended that the residents get together to further discuss this issue.

Peggy Atchley: Lives on Bigfork Stage Road and asked if the south end of the road could be straightened out when the paving is done. Likes the concept and the density of the project.

Jane Hunt: Should I be concerned about 17 new wells? A. All wells will have to be approved by Water Quality. At this time there is no reason for concern.

Lee Kuntz: Are they coming thru Bigfork Water and Sewer? A. Costs are too prohibitive and each property owner will have their own well and septic system.

Charlie Richmond: Is there any control over the architectural guidelines for the development? Taylor: It is up to the developer to set those guidelines. We have a 3-year development timeline with a potential 1 year extension to complete.

Public Comment closed.

Gonzales: Motion to approve application with the following recommendations:

1. Paving of Bigfork Stage should be contiguous with the existing paving at the south end.
2. Dust abatement during infrastructure and home building on the 17 lots.
3. Incorporate the 11-point letter from FWP concerning wildlife into the CC&R's. (m/sc gonzales/ridderhoff)

Righetti reclused himself from the vote.

There was no further discussion by the committee.

Passed and carried unanimously.

The Flathead County Planning Board will review this application on March 9, 2011, 6:00 p.m. at Earl Bennett Building, 1035 1st Avenue West, Kalispell, MT.

NEW BUSINESS: None

PUBLIC COMMENT:

Allison: Have the BLUAC subcommittees been meeting? If so, have the meetings been posted and minutes taken?

Gonzales: There have been no meetings of the Bigfork Steering Committee subcommittees in excess of one year.

Bourquin: I was the only one from this board to attend the Bigfork Sewer and Water Board meeting. Would be good if more members from this board attended.

Craig Wagner: Wanted an update of Luna's Coffee Cellar. General discussion centered around transfers of full liquor licenses and hours of operation.

Meeting was adjourned at 5:20 p.m.

Linda Russell
Acting Secretary